



Appeal Decision

Site visit made on 23 July 2024

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2024

Appeal Ref: APP/N4720/D/24/3343042

6 Cranewells Green, Colton, Leeds LS15 9HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr James Hardwick against the decision of Leeds City Council.
 - The application Ref is 23/06021/FU.
 - The development proposed is a single storey rear extension to provide kitchen/diner.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension to provide kitchen/diner, at 6 Cranewells Green, Colton, Leeds LS15 9HD, in accordance with the terms of the application, Ref 23/06021/FU and the plans submitted with it, subject to the following conditions;
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans;

Location plan; proposed ground floor plans rev B; proposed elevations rev B; and proposed site plan rev B, insofar as relating to the siting of the extension hereby approved only;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used on the existing dwelling.

Applications for costs

2. An application for costs was made by Mr James Hardwick against Leeds City Council. This application is the subject of a separate decision.

Procedural Matters

3. The description of development in the banner heading above is taken from the planning application form, as there is no evidence before me that the description on the Council's decision notice was agreed by the appellant. The appeal has been determined accordingly.

Main Issue

4. The main issue in relation to this appeal is whether the proposed development would be acceptable in highway safety terms, with particular regard to the provision of car parking.

Reasons

5. The appeal site relates to a detached dwelling located at the head of the residential cul-de-sac of Cranewells Green. It benefits from a driveway leading to a detached single garage to the side of the dwelling.
6. The proposal would result in the loss of a small part of the existing driveway through the proposed side extension. The Council's evidence indicates that 2 on-plot car parking spaces are required to serve a 4-bedroomed dwelling. The number of bedrooms and therefore the number of occupants would not increase as a result of the proposed extension¹.
7. The Council's Transport SPD (SPD) 2023 clearly states that driveways that do not provide the main access to a dwelling, should be at least 3.0m wide. This would be consistent with the width of a car parking space advocated by the Householder Design Guide (Design Guide) 2012. Contrary to the advice of the Highway Authority I am clear that this would be the correct standard to apply, given that the affected part of the driveway is beyond the front door of the dwelling. Nevertheless, these documents form guidance and it is important to look at the specific context of the appeal site.
8. The proposed side extension would encroach on the existing driveway, retaining a minimum width of 2.75m, marginally below the SPD and Design Guide standards. However, there is already a pinch point of 2.7m between the corner of the host dwelling and the boundary with No.9 Cranewells Green. The resultant width of the driveway post-development would be no worse than the existing situation.
9. I observed that there is sufficient room for a car to pass the existing pinch point to park in front of the garage, without encroachment onto neighbouring land². There is no compelling evidence to indicate that this space would become unusable once the proposed extension is built. Indeed, sufficient space would remain to park a vehicle and for its occupants to alight. A further parking space would remain at the entrance of the driveway. Thus, the proposal would not conflict with the overall principle of the guidelines which seeks to ensure that sufficient car parking is provided within a site.
10. Paragraph 115 of the Framework is clear that development should only be refused on highway safety grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Given the small scale of the proposed development, it is clear that the implications for the road network would not be severe.
11. Whilst noting the consultation response of the Highway Authority, it would still be possible post-development to park 2 vehicles within the plot in a tandem arrangement as per the existing situation, in addition to the garage. A displacement of vehicles onto the street is therefore unlikely. Even if this was to occur, there is no compelling evidence that on-street car parking has reached saturation point. Although a snapshot in time, I observed that all dwellings had their own driveways and no on-street car parking was occurring within Cranewells Green. Vehicle speeds would also be low, given the limited

¹ As set out within the Council's officer report.

² Further corroborated by figure 3 of the appellant's appeal statement.

number of dwellings and it being a no-through road. Conflict between vehicles is therefore unlikely. Residents and visitors should park considerately of accesses, regardless of the proposal. An unacceptable impact on highway safety would not occur.

12. The proposed development would not be harmful to highway safety, with particular regard to the provision of car parking. The proposal complies with Policy T2 of the Leeds City Council Core Strategy (as amended by the Core Strategy Review, 2019) and Policy GP5 of the Leeds Unitary Development Plan (Review 2006). Together these policies seek to promote highway safety and ensure suitable provision of car parking, objectives shared with the SPD and Design Guide.

Other Matters

13. The proposal would not increase the requirement for car parking at the appeal site and the proposal would still enable 2 vehicles to be parked on the existing drive. Hence, I see no reason that a new space needs to be created within the front garden. I will come back to this matter later in my decision.
14. Car parking by its nature would not impinge on the privacy afforded to neighbouring occupiers. The outlook afforded to the windows within the front elevation of No.4 Cranewells Green would not be detrimentally affected by the proposed development, given that the windows look forward into the cul-de-sac. Any views of parked vehicles would be oblique and not inconsistent with development on a plot within a residential estate.
15. Construction is a temporary activity, that does not provide adequate justification for refusing planning permission. Adequate space for bin storage would remain between the dwelling and garage, or within the large rear garden. These matters do not affect my findings.

Conditions

16. Along with the standard time limit, conditions are imposed to require the use of matching materials in the interests of consistency of appearance and to list the plans in the interests of certainty.
17. The Council's suggested condition for car parking to be laid out in accordance with the proposed site plan prior to the occupation of the development is unnecessary, given that the existing driveway would still accommodate 2 vehicles post-development.

Conclusion

18. For the reasons given above, there is no conflict with the development plan or the approach within the Framework. The appeal is allowed.

M Clowes

INSPECTOR